

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF ILLINOIS**

UNITED STATES OF AMERICA,

Plaintiff,

vs.

TINA PETERSON,

Defendant.

No. 06-CR-30138

ORDER

HERNDON, District Judge:

Before the Court is a motion to continue trial submitted by Defendant Tina Peterson. (Doc. 75.) The Court finds that the trial should be postponed because Defendant Peterson's counsel has another trial scheduled for that same day. In addition, the Court finds that pursuant to **18 U.S.C. § 3161(h)(8)(A)**, the ends of justice served by the granting of such a continuance outweigh the interests of the public and Defendant Peterson in a speedy trial because failure to grant a continuance would unreasonably deny Defendant Peterson continuity of counsel. Furthermore, the Court finds pursuant to **18 U.S.C. § 3161(h)(7)** that since no motion to sever has been filed, the trial should be continued for the other co-defendants scheduled for trial that day: Joshua J. Jarvis, Timothy Kempf, Douglas M. Kraus, Keith D. Kunze, Kevin M. Kunze, and John R. Laird (collectively referred to herein as "Co-Defendants"). A single trial is favored to preserve the resources of

the Court and to promote efficiencies. Therefore, the Court **GRANTS** Defendant Peterson's motion to continue (Doc. 75) and continues the trial scheduled for December 11, 2006 for Defendant Peterson and Co-Defendants until February 12, 2007. The time from the date Defendant Peterson's motion was raised, November 6, 2006, until the date on which the trial is rescheduled, February 12, 2007, is excludable time for the purposes of speedy trial.

IT IS SO ORDERED.

Signed this 7th day of November, 2006.

/s/ David RHerndon
United States District Judge